

REMARKS

Applicants respectfully acknowledge receipt of the Office Action mailed August 10, 2004, the period for response to which being extended an additional two months through January 10, 2005, with the required payment of extension fees.

By this amendment, Applicants amend the specification and claims 1 and 4, cancel claim 3, and add new Figures 6-8. Claims 1, 2, 4, and 5 are pending. Of these claims, claim 1 is independent.

The originally-filed specification, claims, abstract, and drawings fully support the amendment of the specification, claims, and drawings.

In the Office Action, the Examiner objected to the drawings under 37 CFR 1.83(a); objected to the drawings in view of MPEP §608.02(g); and rejected claims 1-5 under 35 U.S.C. §102(b) as being anticipated by the Applicants' prior art. Based on the following remarks, Applicants respectfully traverse the Examiner's objections and rejections.

I. OBJECTION TO THE DRAWINGS

The drawings stand objected under 37 CFR §1.83(a) and in view of MPEP §608.02 (g). Applicants respectfully traverse the objections.

The Examiner asserts "a second connector housing provided with a projection, in claim 1 must be shown" (Office Action at p. 2). Applicants have added new Figures 6-8 to show a second connector housing 100 provided with a projection 101. Thus, the objection under 37 CFR 1.83(a) should be withdrawn.

Additionally, the Examiner asserts "Figures 4 and 5 should be designated by a legend such as -- Prior Art -- because only that which is old is illustrated" (Office Action

at p. 3). Applicants disagree with the Examiner's position. Applicants have made no representation that Figures 4 or 5, or their description in Applicants' specification, is prior art, as asserted by the Examiner, rather they are described as "related art" (Spec. at p. 1, line 11). Indeed, Figures 4 and 5 are described in Applicants' "Detailed Description" and include features that are functionally part of the description of certain aspects related to Applicants' invention. For example, the description of Fig. 1 includes features associated with Figs. 4 and 5 (e.g., connector 10, female connector housing 20, fitting detector 30, and retainer 31) (Spec. at p. 6, lines 12-18). Accordingly, Applicants respectfully traverse the Examiner's assertion that Figures 4 and 5 illustrate only that which is old and request that the Examiner withdraw the objection to the drawings.

II. OBJECTION TO CLAIM 1

The Examiner asserts "what's [the] relationship between 'a first position and a second position' on line 4, and a 'first and second positions of the lock arm' on lines 7-8, are [they] the same positions" (Office Action at p. 3). Applicants note the latter language "first and second positions of the lock arm" is actually described as "first and second portions of the lock arm" (Claim 1, lines 5-7). Accordingly, "a first position and a second position" on line 4 describe the movement of the tubular fitting detector 30, and "first and second portions of the lock arm" describe the structure of the lock arm. Thus, the objection of claim 1 should be withdrawn.

III. 102(b) REJECTION OF CLAIMS 1-5

Claims 1-5 stand rejected under 35 U.S.C. §102(b) as being anticipated by Applicants' prior art (Figures 4 and 5). Applicants respectfully traverse the rejection.

Applicants note that in order to for Applicants' claimed invention to be anticipated under 35 U.S.C. §102, each and every element of the claim in issue must be found, "either expressly or inherently described, in a single prior art reference." "The identical invention must be shown in as complete detail as is contained in the . . . claim.

Richardson v. Suzuki Motor Co., 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989)." See M.P.E.P. § 2131, 8th ed., 2001.

As explained above in the "Objection to the Drawings," Applicants have made no representation that Figures 4 and 5 of this application are prior art. Instead, Figures 4 and 5 are related art and include features that are a functional part of certain aspects related to Applicants' invention. Accordingly, Figures 4 and 5 are not considered prior art under 35 U.S.C. §102. In light of the foregoing, the rejection of claim 1 under 35 U.S.C. §102(b) should be withdrawn.

Moreover, claims 2-5 are allowable at least due to their dependence from claim 1.

IV. CONCLUSION

Applicants respectfully submit that independent claim 1 is in condition for allowance. In addition, claims 2, 4, and 5 are in condition for allowance at least due to their dependence from claim 1.

The Office Action contains characterizations of the claims and the related art with which Applicants do not necessarily agree. Unless expressly noted otherwise, Applicants decline to subscribe to any statement or characterization in the Office Action.

In view of the foregoing amendments and remarks, Applicants respectfully request reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON,
FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: January 10, 2005

By: /David W. Hill/
David W. Hill
Reg. No. 28,220

Attachment includes new Figures 6-8

AMENDMENTS TO THE DRAWINGS:

Subject to the approval of the Examiner, Applicants add new Figures 6-8. Please see Attachment.